

From: Kanzlei Frohwitter

To: 009643181262

19/12/2008 13:06

#287 P.003/008

Docket No. F-8567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant : Martin ZAPF, et al.
Serial No. : 10/527,765
Filed : March 11, 2005
10 For : INDUCTIVE SWITCH
Group Art Unit : 2832
15 Examiner : Ramon M. Barrera
Confirmation No. : 5172
Customer No. : 000028107
20

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
25

DECLARATION UNDER 37 C.F.R. § 1.132

30 I, Thomas Lubert, an individual, residing at Schalkenhaner Weg 32, 92256
Hahnbach, Germany, being an experienced engineer in the field of planar coils
and being a co-inventor of the US patent application serial no. 10/527,765,
declare as follows:

35 I am not only familiar with my instant co-invention, but I am also familiar
with another invention of my co-inventor Martin Zapf, namely the invention
according to the patent US 6,852,937 B2 ('937) (Martin Zapf et al). The invention
of the '937 patent discloses in Figure 2 an inductive switching unit 2 that is also

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19/12/2008 13:07

#287 P.004/009

F-8567

Ser. No. 10/527,765

described in column 2, lines 25 to 51 of the patent. In this switching unit 2, an exciter loop 12 is surrounded by a sensor loop 13 (see also Figure 3). One skilled in the art understands that said exciter loop 13 excites said sensor loop 12 by a magnetic coupling field which is produced by the oscillating power source 12.

5 This is the case of "two coils being coupled to give transformer action".

The main effect between the exciter loop 12 and the sensor loop 13 (forming a so-called planar transformer) is the so-called mutual inductance M of the transformer 12, 13. A negligible effect in this transformer configuration 12, 13 is the so-called self inductance or "inductance L of one coil" of the sensor loop 13 that has a very small, scattered magnitude in said closely coupled transformer configuration 12, 13, and that is not used in the device of the '937 patent for switching purposes. Rather, the magnetic coupling (mutual inductance M) between the planar coils 12 and 13 is changed by the activation unit 3, and this effect is used as a switching effect. The mutual inductance M of the transformer 12, 13 is, as one skilled in the art readily understands, a magnetic effect that is quite different from the other magnetic effect of self inductance L or "inductance L of one coil". Omitting the exciter coil 12 leads to a substantially different configuration and operation which is the basis of the present invention. The inductance L is directly or indirectly detected here, namely as an inductance change or a change of a resonance frequency.

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 12.01.2009

By

Thomas T.

10

Thomas Lubert

Engineer

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PATENT- UND RECHTSANWÄLTE
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January 13, 2009

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Via Fax in advance 4 page(s)

Confidential and Privileged Communication

Patent application 10/527,765 in the U S A
Cherry GmbH
INDUCTIVE SWITCH
Your Ref.: F-8567
Our Ref.: C81287PCTUS

Dear Bruce,
Dear Herb,

Please find attached the outstanding declaration. The original will
be sent to you by confirmation letter.

Very truly yours,

Thomas
Dr. Thomas Leske
European Patent Attorney

Enclosure
Declaration

F/LE/SH/cd

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